

Message Text

UNCLASSIFIED

PAGE 01 CARACA 07159 301949Z

72

ACTION DLOS-07

INFO OCT-01 ISO-00 AF-10 ARA-16 EA-11 EUR-25 NEA-14 RSC-01

IO-14 OIC-04 COA-02 EB-11 FEA-02 JUSE-00 INT-08

COME-00 DOTE-00 NSF-04 OMB-01 TRSE-00 SWF-02 AGR-20

ACDA-19 AEC-11 CG-00 CEA-02 FMC-04 CIEP-03 EPA-04

SCI-06 CEQ-02 CIAE-00 DODE-00 PM-07 H-03 INR-11 L-03

NSAE-00 NSC-07 PA-04 PRS-01 SP-03 SS-20 USIA-15 DRC-01

/279 W

----- 042054

R 301533Z JUL 74

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 5022

INFO AMEMBASSY OTTAWA

USUN NEW YORK 720

UNCLAS CARACAS 7159

FROM US DEL LOS

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS PLENARY: 29 JULY NINE POWER DRAFT ARTICLES

1. UN DOCUMENT A/CONF. 62/L.4 CO-SPONSORED BY CANADA, CHILE, ICELAND, INDIA, INDONESIA, MAURITIUS, MEXICO, NEW ZEALAND AND NORWAY WAS DISTRIBUTED AS WORKING PAPER IN PLENARY 29 JULY. PREAMBLE OFFERS PAPER AS POSSIBLE FRAMEWORK FOR DISCUSSION AND NOTES NO WITHDRAWAL OF PROPOSALS SUBMITTED BY SPONSORS NOR REFLECTS THEIR FINAL POSITIONS AND IS WITHOUT PREJUDICE TO NATIONAL PREVISIONS.

2. WORKING PAPER HIGHLIGHTS ARE :

A) 12 MILE TERRITORIAL SEA

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 CARACA 07159 301949Z

B) QTE FOR THE PUSPOSE OF THESE ARTICLES, AN ARCHIPELAGO

IS A GROUP OF ISLANDS, INCLUDING PARTS OF ISLANDS, WITH INTER-CONNECTING WATERS AND OTHER NATURAL FEATURES WHICH ARE SO CLOSELY INTERRELATED THAT THE COMPONENT ISLANDS, WATERS AND OTHER NATURAL FEATURES FORM AN INTRINSIC GEOGRAPHICAL, ECONOMIC AND POLITICAL ENTITY OR WHICH HISTORICALLY HAVE BEEN REGARDED AS SUCH. UNQTE.

C) QTE INNOCENT PASSAGE# OF FOREIGN SHIPS SHALL EXIST THROUGH ARCHIPELAGIC WATERS.

(FURTHER ARTICLES WILL BE REQUIRED RELATING TO THE REGIME AND DESCRIPTION OF PASSAGE THROUGH SPECIFIED SEA LANES OF THE ARCHIPELAGIC WATERS.) UNQTE.

D) QTE THE COASTAL STATE EXERCISES IN AND THROUGHOUT AN AREA BEYOND AND ADJACENT TO ITS TERRITORIAL SEA, KNOWN AS THE EXCLUSIVE ECONOMIC ZONE: (A) SOVEREIGN RIGHTS FOR THE PURPOSE OF EXPLORING AND EXPLOITING THE NATURAL RESOURCES, WHETHER RENEWABLE OR NON-RENEWABLE, OF THE SEA-BED AND SUBSOIL AND THE SUPERJACENT WATERS; (B) THE OTHER RIGHTS AND DUTIES SPECIFIED IN THESE ARTICLES WITH REGARD TO THE PROTECTION AND PRESERVATION OF THE MARINE ENVIRONMENT AND THE CONDUCT OF SCIENTIFIC RESEARCH. THE EXERCISE OF THESE RIGHTS SHALL BE WITHOUT PREJUDICE TO ARTICLE 19 OF THIS CONVENTION. UNQTE.

E) QTE THE OUTER LIMIT OF THE ECONOMIC ZONE SHALL NOT EXCEED 200 NAUTICAL MILES FROM THE APPLICABLE BASELINES FOR MEASURING THE TERRITORIAL SEA.

(THE CO-SPONSORS RECOGNIZE THE REQUIREMENT FOR EQUITABLE RIGHTS OF ACCESS ON THE BASIS OF REGIONAL, SUBREGIONAL OR BILATERAL AGREEMENTS, FOR NATIONAL OF DEVELOPING LAND-LOCKED STATES AND DEVELOPING GEOGRAPHICALLY DISADVANTAGED STATES (TO BE DEFINED) TO THE LIVING RESOURCES OF THE EXCLUSIVE ECONOMIC ZONES OR NEIGHBOURING COASTAL STATES. THEY WILL SHORTLY BE PRESENTING ARTICLES TO THIS EFFECT). UNQTE.

F) QTE IN THE ECONOMIC ZONE, SHIPS AND AIRCRAFT OF ALL STATES, WHETHER COASTAL OR NOT, SHALL ENJOY FREEDOM OF NAVIGATION AND OVERFLIGHT SUBJECT TO THE EXERCISE BY THE COASTAL STATE OF ITS RIGHTS WITHIN THE AREA, AS PROVIDED FOR IN THIS CONVENTION. UNQTE.

G) QTE IN THE ECONOMIC ZONE, SHIPS AND AIRCRAFT OF ALL STATES WHETHER COASTAL OR NOT, SHALL ENJOY FREEDOM OF NAVIGATION AND OVERFLIGHT SUBJECT TO THE EXERCISE BY THE UNCLASSIFIED

UNCLASSIFIED

PAGE 03 CARACA 07159 301949Z

COASTAL STATE OF ITS RIGHTS WITHIN THE AREA, AS PROVIDED FOR IN THIS CONVENTION. UNQTE.

H) QTE THE EMPLACEMENT AND USE OF ARTIFICIAL ISLANDS AND OTHER INSTALLATIONS ON THE SURFACE OF THE SEA, IN THE WATERS AND ON THE SEABED AND SUBSOIL OF THE ECONOMIC ZONE, SHALL BE SUBJECT TO THE AUTHORIZATION AND REGULATION OF THE COASTAL STATE. UNQTE.

I) QTE (1) THE COASTAL STATE EXERCISES SOVEREIGN RIGHTS

OVER THE CONTINENTAL SHELF FOR THE PURPOSE OF EXPLORING IT
AND EXPLOITING ITS NATURAL RESOURCES.

(2). THE CONTINENTAL SHELF OF A COASTAL STATE EXTENDS BEYOND
ITS TERRITORIAL SEA TO A DISTANCE OF 200 MILES FROM THE
APPLICABLE BASELINES AND THROUGHOUT THE NATURAL PROLONGATION
OF ITS LAND TERRITORY WHERE SUCH NATURAL PROLONGATION
EXTENDS BEYOND 200 MILES. UNQTE.

3. TURKEY AND PERU INFORMALLY PROTESTED INTRODUCTION OF
PAPER IN PLANNING AND FRG POSED FORMAL POINT OF ORDER IN OBJECTION.
AMERASINGHE RULED THAT ANY DELEGATION HAS RIGHT TO CHOOSE
FORUM IN WHICH TO INTRODUCE DRAFTS; THIS CASE IS NOT
REGARDED AS SPECIAL (BUT APPEAL WAS MADE FOR RESTRAINT);
AND CONF WOULD RECEIVE PROPOSALS DESPITE ALLOCATION OF
SUBJECT AND ISSUES TO COMMITTEES AND WOULD REFER TO APPROPRIATE
ORGAN OR ORGANS. TUNISIA CALLED FOR ROLL CALL VOTE
ON PRESIDENT'S DECISION. CONF UPHOLD AMERASINGHE 50
(US, UK) - 38 (EES, JAPAN, FRANCE) - 39. (VOTING WAS
MIXED AND ONLY EES AND LA TERRITORIALISTS VOTED AS BLOC.)

4. CANADA (BEESLEY) AND CHILE (ZEGERS) AS CO-SPONSORS
DELIVERED EXPLANATORY ADDRESSES FOR ARTICLES NOTING THEIR
FUNCTIONAL APPROACH AND OFFERING THEN AS BASIS FOR DISCUSSION
AND NEGOTIATIONS. THEY NOTED THEIR INITIATIVE WAS
ATTEMPT TO CRYSTALLIZE BROAD TRENDS AND WAS ACCOMPLISHED
ONLY AFTER INFORMAL CONSULTATIONS WITH MANY OTHER DELE-
GATIONS.

5. ENGO AND YANKO PROTESTED ONE-SIDED DEBATED SINCE ALL
CO-SPONSORS HAD ENROLLED TO SPEAK BUT, AT SPECIAL OF PRES.,
THEY WITHDREW AND DRAFT WILL BE REFERRED TO COMMITTEES
II AND III.

STEVENSON
UNCLASSIFIED

UNCLASSIFIED

PAGE 04 CARACA 07159 301949Z

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, AGREEMENT DRAFT, DOCUMENTS, TERRITORIAL SEA LIMIT, MEETING AGENDA, COMMITTEE MEETINGS, PROPOSALS (BID), FOREIGN POLICY POSITION
Control Number: n/a
Copy: SINGLE
Draft Date: 30 JUL 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974CARACA07159
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740207-0305
From: CARACAS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t1974077/aaaaafst.tel
Line Count: 154
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION DLOS
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 28 MAR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <28 MAR 2002 by thomasv0>; APPROVED <07-Aug-2002 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS PLENARY: 29 JULY NINE POWER DRAFT ARTICLES
TAGS: PLOS, OCON, VE
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005